



Prior Application:  
Examiner: Brown, M.  
Art Unit: 3301

09/480461

Docket Number P-12550 (Div)

2, 128 104H

V. D. Briggs  
2/Prec  
11-6-95

This is a request for filing a divisional application under 37 C.F.R. § 1.60 of prior pending application serial no. 08/394,836, filed on February 27, 1995, entitled IMPROVED METHOD AND INSTRUMENTATION FOR THE SURGICAL CORRECTION OF HUMAN THORACIC AND LUMBAR SPINAL DISEASE FROM THE LATERAL ASPECT OF THE SPINE, which is a continuation-in-part of serial no. 08/074,781, filed on June 10, 1993, which is a continuation in part of serial no. 07/968,240, filed on October 29, 1992, which is a continuation of serial no. 07/698,674, filed May 10, 1991, which is a divisional of serial no. 07/205,935, filed on June 13, 1988, now issued Patent No. 5,015,247; and a continuation in part of serial no. 08/219,626, filed March 28, 1994, by the following named inventor(s):

2 0 1	FULL NAME OF INVENTOR	LAST NAME Michelson	FIRST NAME Gary	MIDDLE NAME Karlin
	RESIDENCE & CITIZENSHIP	CITY Venice	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 438 Sherman Canal	CITY Venice	STATE OR FOREIGN COUNTRY California
2 0 2	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR FOREIGN COUNTRY
2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR FOREIGN COUNTRY

1. Enclosed is a copy of the latest inventor-signed prior application, including copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application serial number 08/394,836, filed on February 27, 1995, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

	(Col. 1)	(Col. 2)
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	49 - 20 =	29
INDEP CLAIMS	13 - 3 =	10
MULTIPLE DEPENDENT CLAIM PRESENTED		

\* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
RATE	FEE		RATE	FEE
	365	OR		730
x 11 =	\$ 0	OR	x 22 =	\$ 638
x 38 =	\$ 0	OR	x 76 =	\$ 760
+ 120 =	\$ 0	OR	+ 240 =	\$ 0
TOTAL	\$ 0	OR	TOTAL	\$ 2,128

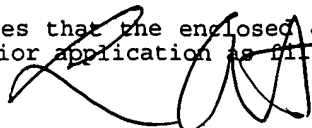
- X  2. A verified statement claiming small entity status:  
\_\_\_\_\_ is enclosed.  
 X  \_\_\_\_\_ was submitted with the prior application.
- X  3. The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16 and 1.17 which may be

required, or credit any overpayment to Deposit Account No. 01-2138. Two duplicate copies of this letter are attached.

- X 4. A check in the amount of \$2,128.00 is enclosed.
- X 5. Cancel in this application original claims 1-66 and 91-94 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
- X 7. Amend the specification by inserting before the first line the sentence:
- This application is a        continuation  
X division  
of application serial no. 08/394,836, filed on February 27, 1995, which is a continuation-in-part of serial no. 08/074,781, filed on June 10, 1993, which is a continuation in part of serial no. 07/968,240, filed on October 29, 1992, which is a continuation of serial no. 07/698,674, filed May 10, 1991, which is a divisional of serial no. 07/205,935, filed on June 13, 1988, now issued Patent No. 5,015,247; and a continuation in part of serial no. 08/219,626, filed March 28, 1994.
8. New formal drawings are enclosed.
9. Priority of application serial no. serial number filed on date in country is claimed under 35 U.S.C. § 119.
- The certified copy has been filed in prior application serial no. serial number filed on date.
10. A preliminary amendment is enclosed.
11. The prior application is assigned of record to:
12. Also enclosed:
- X 13. The power of attorney in the prior application is to: Lewis Anten, Reg. No. 26,604 and Amedeo Ferraro, Reg. No. 37,129.
- a. X The power of attorney appears in the original papers in the prior application.
- b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. X Address all future communications to:
- Lewis Anten  
The Law Offices of Lewis Anten, P.C.  
16830 Ventura Blvd.  
Suite 411  
Encino, CA 91436  
Telephone: (818) 501-3535  
Fax: (818) 501-3618

The undersigned states that the enclosed application papers  
comprise a true copy of the prior application as filed.

6-7-95  
Date

  
1. Lewis Anten, Reg. No. 26,604  
\_\_\_\_ inventor(s)  
XX attorney or agent of record  
\_\_\_\_ assignee of complete interest  
\_\_\_\_ filed under § 1.34(a)

CERTIFICATE OF EXPRESS MAILING

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Date of Deposit: June 7, 1995

I hereby certify that this paper or fee is being  
deposited with the United States Postal Service  
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37 C.F.R. § 1.10 on the date indicated above and is  
addressed to:

Signed: 

Typed or  
Printed Name Roseanne Becker

PATENT APPLICATION  
Asst. Commissioner For Patents  
Washington, D.C. 20231.

Date: June 7, 1995